





**Jollibee**



Jolliville Holdings Corporation

A hand is shown at the bottom, holding a glowing yellow-green lightbulb. The background is a dark chalkboard with several white chalk-drawn lightbulbs hanging from above. The central lightbulb is the only one that is illuminated, with short lines radiating from it to indicate light. The text is overlaid on a white rectangular box on the left side of the image.

# **2020 Revised Rules of Procedure for Intellectual Property Rights Cases**

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AM NO. 10-3-10.SC

16 NOVEMBER 2020



# CIVIL PROCEDURE

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## SECTION 2, RULE 2 Special Commercial Courts with Authority to Issue Writs of Search and Seizure



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Manila City

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Quezon City

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Makati City

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Pasig City

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**Baguio City**

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**Iloilo City**

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**Cebu City**

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**Cagayan de Oro City**

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**Davao City**

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## **SECTION 3, RULE 2** **Forms and Contents of** **Complaint**

The complaint shall contain a concise statement of the ultimate facts, **including the evidence**, constituting the complainant's cause(s) of action



## **SECTION 3, RULE 4**

### **Answer**

Within **thirty (30) calendar days** from service of summons, the defendant shall file his or her answer to complaint, **including the evidence therein**, and serve a copy thereof on the plaintiff.

The answer to counterclaims or cross-claims shall be filed and served with **fifteen (15) calendar days from service** of the answer in which they are pleaded.



## **SECTION 5, RULE 4** **Judicial Affidavit**

The **judicial affidavits** required to be submitted with the answer in a question-and-answer format numbered consecutively shall state only facts of direct personal knowledge of the affiants which are admissible in evidence. The judicial affidavits shall also show the competence of the affiants to testify to the matters stated therein.





## **Section 1, Rule 6** **Pre-Trial; Mandatory** **Nature**

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The notice of pre-trial shall include the dates respectively set for:

- a) Pre-trial;
- b) Court-Annexed Mediation; and
- c) Judicial Dispute Resolution, if necessary.




## **Section 3, Rule 7** **Period of Trial**

No postponement shall be allowed by the judge except for acts of God, *force majeure* or physical inability of the witness to appear and testify, in accordance with Section 4(f) of Rule 3.




# CRIMINAL PROCEDURE

## SECTION 5, RULE 11 Prohibited Motions



1) Motion to quash the information, except on the ground of lack of jurisdiction;

2) Motion for judicial determination of probable cause;



3) Unmeritorious motion for reinvestigation of the prosecutor;




4) Motion for bill of particulars;



5) Motion to suspend the arraignment;

6) Motion for extension of time to file affidavits or any other papers;



7) Motion for postponement except if it is based on acts of God, force majeure or physical inability of the witness to appear and testify



## **Section 1, Rule 13** **Arraignment**

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Once the court has acquired jurisdiction over the person of the accused, the arraignment of the accused and the pre-trial shall be set simultaneously





## **Section 4, Rule 17** Request for Technical Advice

Appoint one (1) expert,  
or order the creation of a  
committee of three (3)  
experts to provide  
advice on the technical  
aspects of the patent in  
dispute









# Section 7, Rule 20 Humanitarian Donation

The court may issue an order disposing the seized infringing goods, related objects, or devices by way of donation for humanitarian use





**THANK YOU**